

1-1 By: Burkett, Sheets, Fletcher H.B. No. 424
 1-2 (Senate Sponsor - Deuell)
 1-3 (In the Senate - Received from the House April 4, 2013;
 1-4 April 10, 2013, read first time and referred to Committee on Health
 1-5 and Human Services; May 15, 2013, reported favorably by the
 1-6 following vote: Yeas 5, Nays 1; May 15, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16			X	
1-17		X		

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the sex offender status of a person who becomes a
 1-21 resident of certain group home facilities.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle G, Title 4, Health and Safety Code, is
 1-24 amended by adding Chapter 325 to read as follows:

1-25 CHAPTER 325. NOTICE OF SEX OFFENDER STATUS TO RESIDENTS OF GROUP
 1-26 HOME

1-27 Sec. 325.001. DEFINITIONS. In this chapter:

1-28 (1) "Director" means the administrator primarily
 1-29 responsible for the operation of a group home.

1-30 (2) "Group home" includes:

1-31 (A) an assisted living facility, as defined by
 1-32 Section 247.002;

1-33 (B) a boarding home facility, as defined by
 1-34 Section 260.001;

1-35 (C) a facility as defined by Section 246.002;

1-36 (D) a supportive housing facility operated by the
 1-37 state, a local government, or a private agency that provides
 1-38 supportive services to persons with mental illness, substance use
 1-39 conditions, or physical disabilities who require access to
 1-40 rehabilitative services and a stable living arrangement to maintain
 1-41 consistent treatment regimens; and

1-42 (E) a transitional housing facility designed to
 1-43 facilitate the transition from inpatient to outpatient care or,
 1-44 within a reasonable time, the transition from homelessness to
 1-45 permanent housing for persons with serious mental illnesses,
 1-46 substance use conditions, or physical disabilities and who may
 1-47 require intensive case management and assistance with long-term
 1-48 goal planning and independent living skills.

1-49 (3) "Resident" means a person who resides and receives
 1-50 services at a group home.

1-51 Sec. 325.002. APPLICABILITY OF CHAPTER. This chapter does
 1-52 not apply to a group home that accepts or is assigned only residents
 1-53 who are sex offenders required to register under Chapter 62, Code of
 1-54 Criminal Procedure, if the residents receive treatment at the group
 1-55 home from a sex offender treatment provider who is licensed under
 1-56 Chapter 110, Occupations Code.

1-57 Sec. 325.003. SEX OFFENDER STATUS CHECK. Except as
 1-58 provided by Section 325.002, as soon as practicable after a person
 1-59 requests to live at a group home or is assigned to live at a group
 1-60 home as a condition of community supervision or as a condition of
 1-61 release on parole or to mandatory supervision, the director of the

2-1 group home shall ascertain whether the person is registered under
2-2 Chapter 62, Code of Criminal Procedure, by consulting the Internet
2-3 website maintained by the Department of Public Safety that contains
2-4 the sex offender database.

2-5 Sec. 325.004. NOTICE TO OTHER RESIDENTS REQUIRED. If based
2-6 on information obtained under Section 325.003 the director
2-7 ascertains that a person is a registered sex offender, not later
2-8 than the third day after the date the person becomes a resident of
2-9 the group home, the director shall provide notice that the person is
2-10 a sex offender to the legal guardian of each current resident who
2-11 has a legal guardian and directly to each other resident. The
2-12 notice must contain all of the information about the person that is
2-13 available on the website described by Section 325.003.

2-14 Sec. 325.005. IMMUNITY FOR RELEASE OF PUBLIC INFORMATION.
2-15 A group home or its director is not liable under any law for damages
2-16 arising from conduct required under this chapter.

2-17 Sec. 325.006. NOTICE ABOUT CURRENT RESIDENTS. Not later
2-18 than March 1, 2014, the director of a group home shall ascertain, in
2-19 the manner provided by Section 325.003, whether any resident of the
2-20 group home is registered under Chapter 62, Code of Criminal
2-21 Procedure, and provide to the legal guardian of each current
2-22 resident who has a legal guardian, and directly to each other
2-23 resident, notice about each resident who is required to register
2-24 under that chapter as provided by Section 325.004. This section
2-25 expires April 1, 2014.

2-26 SECTION 2. This Act takes effect September 1, 2013.

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